**INFORMATION PROVIDED BY THE GOVERNMENT OF BULGARIA ON THE REQUEST BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS ON THE PROGRESS TOWARDS ENDING CHILD, EARLY AND FORCED MARRIAGE, BASED ON THE IMPLEMENTATION OF THE GENERAL ASSEMBLY RESOLUTION 73/153 “CHILD, EARLY AND FORCED MARRIAGE”**

▪ According to the Bulgarian legislation, the age for marriage is 18 years. Exceptions to this age are allowed, but only if the strict conditions set out in the Family Code are fulfilled. Art. 6 of the Family Code regulates the possibility of marriage by a minor (a person over 16 years of age). It is important to note that this opportunity is only granted exceptionally if important reasons require so and only after permission by the district court at the permanent address of the person. Both conditions - the age of 16 and permission from the district court - must be fulfilled cumulatively in order for a minor to get married. According to the practice, pregnancy, pre-marital cohabitation and childbirth are among the most common reasons for applying for marriages by minors.

▪ In Bulgaria child and forced "marriages" are mainly associated with the Roma community and with some rural populations. However, such "marriages" are illegal, in fact, they are cohabitations, informal unions without legal recognition. The early cohabitation is a form of violence with a long-term adverse emotional, social and health consequences for both mother and child. Early cohabitation followed by early pregnancy significantly increase birth complications, compromises a girl’s development, limits or even eliminate a girl's education options, affecting her economic independence, and leads to poverty and social exclusion. Girls in child marriages are more likely to suffer from [domestic violence](https://en.m.wikipedia.org/wiki/Domestic_violence) and [child sexual abuse](https://en.m.wikipedia.org/wiki/Child_sexual_abuse).

▪ The protection against child abuse is formulated in art. 11 of the Bulgarian Child Protection Act:

*“Art.11. (1) Every child has a right to protection against involvement in activities that are harmful to his or her physical, mental, moral and educational development.*

*(2) Every child has a right to protection against all methods of upbringing, that undermine his or her dignity; against physical, psychical or other types of violence; against all forms of influence, which go against his or her interests.*

*(3) Every child has a right to protection against the use of children for purposes of begging, prostitution, dissemination of pornographic material, receipt of unlawful pecuniary income, as well as protection against sexual abuse.”.*

▪ Upon receipt of a signal to the State Agency for Child Protection /SACP/ concerning data on the presence of a risk to a child, in accordance with its obligation under art. 7, para. 3 and para. 4 of the Child Protection Act, SACP refer to the competent Social Assistance Directorate and the Ministry of Interior Regional Office in a timely manner, to investigate and take actions on competence for protection of the rights and interests of the child.

With the last amendments from 2019 of the Child Protection Act, the Coordination Mechanism in Cases of Violence is already part of the law.

Since 2002, prevention of violence against children, including the prevention of child, early and forced marriage, has been a top priority in all annual national child protection programs.

▪ In order to prevent and reduce the number of early cohabitation and early births, a number of measures have been taken, as reflected in the report on the implementation of the Action Plan for the period 2017 - 2018 to the National Program for prevention of violence and abuse of children (2017 - 2020), incl. implementing an integrated approach to prevent early cohabitation and early birth through community work; information campaigns to promote health and sexual culture; social work in at-risk communities aiming at activating and involving the communities themselves in prevention work, etc. 500 manuals have been published for professionals working with children in institutions and with children at risk of preventing the sexual exploitation of children.

With regard to the early births, SACP requires periodically official information on their number from all regional health inspections in the country. According to the data provided, the total number of early births in Bulgaria for 2018 is 3, 167.

With regard to the so-called "early cohabitation" in which one or both partners have not reached the minimum age for marriage (18 years) according to the legislation of the Republic of Bulgaria, in 2018 there are a total of 9 files with the SACP after a signal is submitted, and in 2017, their number was 11.In the first half of 2019, 21 signals (2%) were filed and processed regarding cohabitation with a minor. In these cases SACP refer the matter to the competent prosecutor's office for verification.

▪ As of November 2019, the State Agency for Child Protection is conducting a third thematic planning check for 2019 for the monitoring of the rights of the child by the gynecologists in cases of pregnancy and childbirth of minors. The check will be carried out in 57 medical practices and of gynecologists in medical centers throughout the country, selected on the basis of official data received from the Regional Health Inspectorates. The scheduled check will be carried out between 28.10.2019 and 05.12.2019.

▪ The main purpose of the thematic planning check carried out by the SACP is to collect information on cases of minors and pregnant women, and maternity women from 01.01.2019 to the time of the respective inspection, and to monitor the knowledge and the actual observance of the obligation to assist the protection authorities by the gynecologists, according to art. 7, para. 1 and para. 2 of the Child Protection Act with regard to monitored minors and pregnant children. An analytical report on the results at national level will be drawn up after completion of the review, оn the basis of which further policies for the prevention of the problem will be developed.

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**Combating violence against women and girls, incl. domestic violence**

▪ Various public events and information events are held on the territory of the country to raise awareness and sensitivity to the problems of violence, with the aim of achieving greater awareness and level of empathy to the human rights violations. These events are also organized in cooperation between state institutions and non-governmental organizations. On the occasion of the commemoration of the World Day for the Elimination of Violence against Women - 25 November, a 16-day campaign against violence against women and girls is opened.

▪ The Ministry of Labour and Social Policy in partnership with the Social Assistance Agency implements project “Together Against Violence”. The project envisages the development of analyses in the field of domestic and gender-based violence, which will serve to develop recommendations for improving the policy on and access to social services for victims of violence as well as specific measures to support them. Practical guidance will be drawn up to assist social experts working on violence cases - how to identify the signs of violence, and in particular “hidden” violence, how to work with the victim, the perpetrator, and possibly the child in the family, what type of social service in the community to target the victim, case tracking and more.

In order to provide data on violence in Bulgaria, the project envisages conducting a national representative survey. Adults will be questioned, interviewed by experts working on cases of violence in the social sphere, health care, education, police, the judicial system, etc., employers and victims of violence. The study will focus on the experience of violence in different environments, such as the family environment, workplace and others, as well as the different forms of violence.

The project also includes activities to raise awareness and sensitivity about violence. Information materials, 2 national conferences and 6 campaigns will be developed and distributed to raise awareness and sensitivity of citizens about the various forms of violence across the country. The project will also focus on developing a concept for a system for monitoring gender equality that will assist in the collection, recording and processing of gender data across various sectoral policies.

▪ Based on a national survey conducted in 2016 on domestic and gender-based violence in Bulgaria, it is confirmed that women are more likely to be victims of domestic and gender-based violence. Almost 90% of the police and social workers interviewed said that in their experience, women were “frequently” or “rather frequently” victims of these types of violence. More than 90% of the two groups have rarely or never experienced cases of male victims. This is due to the fact that women victims of violence report to institutions more often than men.

▪ Victims of violence are offered various types of social services that are funded by the state budget. Much of the Crisis Center for Children and Victims of Violence and Trafficking is run by non-governmental organizations. As of 31.07.2019, social services provided by the state for the victims of domestic violence at 25 Crisis Centres (CCs) are provided on the territory of the country, 19 of which are for children and 6 for adults. The total capacity of the Crisis Centres is 260. There are 3 centres in the city of Sofia, two of them for children, with a total capacity of 22 seats, and the third centre, with a capacity of 8 seats, for children and adults. According to Art. 18 of the Social Assistance Act, in the Register of providers of social services are listed non-governmental organizations providing the social service “Crisis Center”, 16 of them for children and 13 for adults.

The Social Assistance Agency provides assistance and support to victims of domestic violence at both the CC and the Mother and Baby Unit (MBU), Community Support Centres (CSCs) and Centres for Social Rehabilitation and Integration (CSRI). As of 31.07.2019, MBUs have 13 with a total capacity of 85 seats, CSCs are 139, with a total capacity of 5,604 seats, CSRI for children are 52, with a total capacity of 1,802 places, and CSRI for adults are 110 with a total capacity of 3,337 seats.

▪ The rights of the victims of domestic violence, the protection measures and the order of their imposition are regulated in the Domestic Violence Protection Act (DVPA). Pursuant to Art. 6, para. 1, the State creates conditions for the implementation of programs for prevention and protection against domestic violence and programs providing assistance to the victims.

▪ Following the adoption of the Child Protection Act in 2000, Bulgaria has established a child protection system that also works on prevention, identification and response in cases of violence against children. Corporal punishment is prohibited in the Child Protection Act, Family Code (2009) and the Pre-school and School Education Act (2015).

▪ The following instruments and mechanisms are developed and implemented: National Programme for Prevention of Violence and Abuse of Children 2017-2020; Action Plan to the National Programme for Prevention of Violence and Abuse of Children; Coordination mechanism for interaction at work in cases of child victims of violence or at risk of violence, as well as for crisis intervention (2010). Practical guidelines for actions to be taken by teachers and students in the event of an incident, violence and other critical situations, as well as a reporting and follow-up protocol, were developed to prevent situations of violence at school**.**

▪ At the National Council for the Protection of the Child (NCPC) there is an inter-service working group “Prevention of violence and abuse of children”, which main purpose is to monitor the implementation of the National Programme for Prevention of Violence and Abuse of Children and to develop the Plan for Implementation of the Programme. The composition of the working group was updated in 2018, with proposals to include representatives of the Directorate-General for Combating Organized Crime, in relation to the increased incidence of cyberbullying among children, as well as to the UN High Commissioner for Refugees, in connection with the protection of children seeking international protection in our country.

▪ Art. 4 of the Transitional and Final Provisions of the newly adopted Law on Social Services (in force as of 01.01.2020) established a new Art. 36d “Coordination Mechanism in case of violence” and Art. 36e "Protection of the Child - Victim of Violence or Exploitation”, in which the steps, activities and interaction between the bodies for protection against child abuse, stated in the 2010 Coordination mechanism for interaction at work in cases of children victims or at risk of violence and interaction in crisis intervention and in the Agreement on cooperation and coordination of the work of the territorial structures of the child protection bodies in cases of children victims of violence or at risk of violence and in the cases of crisis intervention were adopted.

▪ The Law on Amending and Supplementing of the Criminal Code, adopted on 22.02.2019, in force as of 26.02.2019, provides comprehensive legal protection against all forms of domestic violence. The changes introduce a definition of the term “domestic violence”; more severely punishable compositions for murder, abduction, unlawful imprisonment, coercion and surveillance committed under conditions of domestic violence.

▪ With regard to the protection and support of victims of violence, it should be noted that victims - women and girls may seek protection and redress if they did not receive one through a lawsuit under the Law on Assistance and Financial Compensation for Victims of Crime (LAFCVC). The forms of assistance to victims of crime are as follows:

- Medical assistance in emergencies in accordance with the Health Act;

- Psychological counselling and assistance;

- Free legal aid under the Legal Aid Act;

- Practical help.

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